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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/726,372	12/03/2003	Fatih Ozluturk	I-2-0566.1US	7154

24374 7590 09/14/2005

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EXAMINER	
STEIN, JULIE E	

ART UNIT	PAPER NUMBER
2685	

DATE MAILED: 09/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/726,372	OZLUTURK ET AL.	
	Examiner	Art Unit	
	Julie E. Stein, Esq.	2685	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-18 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-18 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: In paragraph 20, "unit22" should be "unit 22", and "a user pattern monitor device *22*" should be "24"; in paragraph 27, "the user I/O device *12*" should be "20".

Appropriate correction is required.

Claim Objections

2. Claims 3 and 15 objected to because of the following informalities: the "an" in "an observed interactions of the user" should be deleted. Appropriate correction is required.

3. Applicant is advised that should claim 1 be found allowable, claim 11 will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-4 and 11-16 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,560,453 to Henry, Jr. et al.

Henry discloses all the elements of independent claims 1 and 11, including an electronic device (column 3, line 61 to column 4, line 5) to comprising: a user input device for receiving input from a user (Figure 2, element 42, keypad); a user device processing unit for performing functions of the electronic device (Figure 2, element 56, processor); a use pattern monitoring device for monitoring use patterns of the user (Figure 3, element 86, usage pattern performance mode) and an associated memory for storing use pattern information (Figure 3, element 54); a cognitive logic device for determining adjustments to the user device processing unit based on the use pattern information (Figure 3, element 74, SCI Manager); and a user device processing unit controller for adjusting the user device processing unit in response to the determined adjustments (Element 56).

Henry discloses all the elements of independent claim 12, including an integrated circuit (column 4, lines 17 to 52) comprising: an input configured to receive input from a user (Figure 2, element 42, keypad); a processing unit, coupled to the input, for performing functions of an electronic device (Figure 2, element 56, processor); a use pattern monitoring device, coupled to the processing unit, for monitoring use patterns of the user (Figure 3, element 86, usage pattern performance mode); an associated memory for storing use pattern information (Figure 3, element 54); a cognitive logic device, coupled to the associated memory, for determining adjustments to the user

device processing unit based on the use pattern information (Figure 3, element 74, SCI Manager); and a processing unit controller, coupled to the cognitive logic device and processing unit, for adjusting the user device processing unit in response to the determined adjustments (Element 56).

Henry discloses all the steps of independent claim 13, including a method for use with an electronic device, the electronic device performing steps comprising: receiving user inputs at the electronic device indicating interactions of the user with processing of the electronic device (column 6, lines 19 to 25); determining interaction patterns of the user with the electronic device (column 8, lines 25 to 67); using the determined interaction patterns, determining adjustments for the electronic device, and adjusting the electronic device using the determined adjustments (Id.).

Henry also discloses all the elements/steps of dependent claims 2 and 14, including wherein the determined adjustments include changes to parameters, configurations and states of the user device processing unit. See Id., describing the timing of a given sleep cycle of the mobile phone.

Henry also discloses all the elements/steps of dependent claims 3 and 15, including wherein the cognitive logic device uses a cognitive model that creates rules based on an observed interactions of the user. See Figure 5, it is inherent in the setting of times to start the extended sleep cycle in step 158.

Henry also discloses all the elements/steps of dependent claims 4 and 16, including wherein the user device unit controller selectively turns off rules in response to

user interaction through the user input device. See, for example, column 7, lines 34 to 44.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

8. Claims 6-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Henry in view of Official Notice.

The rejections of claims 1-4 and 11-16 are hereby incorporated. Henry teaches all the elements of independent claim 6 as indicated above, except a WTRU. The Examiner takes Official Notice that it is well known in the art for a laptop computer as

taught in Henry to include a wireless modem. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to know that laptops contain wireless modems so that they may, for example, connect to WLANs.

Henry also does not explicitly teach all the elements of claim 7, including wherein the processing unit comprises a digital signal process and a reduced instruction set processor. However, the Examiner takes Official Notice that both DSPs and RISCs are well known in the art and that it would have been obvious to one of ordinary skill in the art at the time the invention was made that such processors would be used in laptops.

Henry also discloses all the elements of dependent claim 8, including wherein the determined adjustments include changes to parameters, configurations and states of the user device processing unit. See Id., describing the timing of a given sleep cycle of the mobile phone.

Henry also discloses all the elements of dependent claim 9, including wherein the cognitive logic device uses a cognitive model that creates rules based on an observed interactions of the user. See Figure 5, it is inherent in the setting of times to start the extended sleep cycle in step 158.

Henry also discloses all the elements of dependent claim 10, including wherein the user device unit controller selectively turns off rules in response to user interaction through the user input device. See, for example, column 7, lines 34 to 44.

9. Claims 5 and 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Henry in view of U.S. Patent No. 5,952,992 to Helms.

Henry teaches all the elements of claims 5 and 17, except wherein the cognitive logic device categorizes the use pattern information into either common interaction patterns or style interaction patterns and adjusting the electronic device based on the common interaction patterns and selectively adjusting the electronic device based on the style interaction patterns in response to a current user interaction style. However, Helms teaches that a brightness of an LCD in a laptop computer—an electronic device--may be controlled by an artificial intelligence such as a neural network that can learn a user's preferred brightness settings in various lighting conditions and thus automatically adjust the LCD to the user's preferences in such given lighting conditions. See column 5, lines 8 to 15. Helms also teaches that user preferences are considered and may override pre-set brightness levels. See column 2, lines 19 to 27.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify Henry to include the added functionality of being able to adjust the brightness of an LCD screen of the mobile phone (display 44) as taught by Helms because this would both allow the user's preferences to be used and decrease the overall power consumption of the electronic device. See Helms, column 1, lines 29 to 37. In addition, one of ordinary skill in the art at the time the invention was made would understand that the interaction taught in Henry would be considered a common interaction and the interaction taught in Helms would be considered a style interaction because the sleep cycle taught in Henry is common and required of all mobile phones and adjusting the brightness of an LCD screen of a mobile phone is a preference of a given user at a given time, thus a style interaction. Therefore, it would

have been obvious to one of ordinary skill in the art at the time the invention was made, to understand that the adjusting of the electronic device based on the common interaction patterns would always be done, where as the adjusting of the electronic device based on the style interaction patterns would depend on the current user interaction style because of the difference between common and style patterns as discussed above.

The rejections of 1-17 are hereby incorporated. Henry in view of Helms teach all the steps of independent claim 18, including a method for use with an electronic device, the electronic device performing steps comprising: receiving user inputs from a plurality of users at the electronic device indicating interactions of the users with processing of the electronic device (see above); determining interaction patterns of the user with the electronic device (see above); categorizing the determined interaction patterns as either common interaction patterns or style interaction patterns (see rejections of claims 5 and 17); based on the determined interaction patterns, determining adjustments for the electronic device (Id.); categorizing the determined adjustments as either common adjustments or style adjustments (Id.); and adjusting the electronic device using the common adjustments and selectively applying the style adjustments in response to a current user interaction style (Id).

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent No. 6,914,624 to Esquibel et al. teaches a method of configuring settings of an imaging device including user interactions and U.S. Patent

Application Publication No. 2004/0203656 to Andrew et al. teaches timed profile changes based in part on user preferences.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julie E. Stein, Esq. whose telephone number is (571) 272-7897. The examiner can normally be reached on M-F (8:30 am-5:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on (571) 272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JES

Nguyen Vo
9_12_2005

NGUYEN T. VO
PRIMARY EXAMINER